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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-00670 EJD
)	CR 11-00554 EJD
Plaintiff,)	
)	STIPULATION AND PROPOSED
v.)	ORDER CONTINUING STATUS
)	HEARING AND EXCLUDING TIME
DAVID RUSSELL FOLEY,)	
)	
Defendant.)	SAN JOSE VENUE
)	

The undersigned parties respectfully request that the sentencing hearing in the above-captioned case scheduled for June 10, 2013 be continued to July 29, 2013. The reason for the continuance is that Probation Officer Benjamin Flores needs additional time to review the defendant's recent submissions and complete the presentence report. In addition, AUSA Susan Knight will be in trial before the Honorable Judge Whyte starting on June 24, 2013 through approximately July 15, 2013, and Officer Flores will be unavailable the week of July 22, 2013.

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STIPULATION AND [PROPOSED] ORDER

1 SO STIPULATED:

MELINDA HAAG
United States Attorney

2
3 DATED: 5/13/13

/s/_____
SUSAN KNIGHT
HANLEY CHEW
Assistant United States Attorneys

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5
6 DATED: 5/13/13

/s/_____
JEROME MULLINS
Counsel for Mr. Foley

7
8
9 **ORDER**

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11 Accordingly, for good cause shown, the Court HEREBY ORDERS that the sentencing
12 hearing currently scheduled for June 10, 2013 is continued to July 29, 2013 at 1:30 p.m.

13 SO ORDERED.

14
15 DATED: 5/14/2103



EDWARD J. DAVILA
United States District Judge